REMARKS

Claims 3-12, 16 and 17 are all the claims pending in the application.

Initially, Applicants would like to thank Examiner Michael Yaary for the courtesies extended to Applicants' representative during the telephone interview conducted on March 6, 2008. Applicants note that the comments below address the issues that were discussed during the telephone interview.

I.   Claim Rejections under 35 U.S.C. § 103(a)

A. Claims 3-5, 10, 11, 16 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Howard (U.S. 2002/0078244) in view of Nakashima et al. (U.S. 5,930,825) and Yamagishi (U.S. 5,379,433).

Claim 3 recites the features of an ID recording unit operable, before the updating of the file on the first recording medium by said updating unit, to read unique medium identifier information from one specific position in the first recording medium, and to hold the medium identifier information within said file-update apparatus; and a recovery suppressing unit operable, if the interruption of the update procedures has taken place and the predetermined condition is satisfied, and before said recovery unit updates the location information, to read medium identifier information from a same position as the specific position in a removable recording medium mounted in said file-update apparatus, compare the read medium identifier information with the held medium identifier information, and suppress the updating of the location information by said recovery unit if the read medium identifier information does not match the held medium identifier information.

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Applicants respectfully submit that Howard, Nakashima and Yamagishi do not teach or suggest the above-noted combination of features recited in claim 3.

Regarding Howard, Applicants note that the Examiner has recognized that this reference does not disclose or suggest the features of an ID recording unit and a recovery suppressing unit (see Office Action at page 4).

Regarding Nakashima, Applicants note that this reference discloses a method for preventing the unauthorized use of software. As explained in Nakashima, in an original recording medium 1, a medium ID is stored in a normal sector 2 and is also stored in software 110 (see Fig. 2 and col. 3, line 65 through col. 4, line 5). In other words, in the original recording medium 1, the same medium ID is stored in two different positions, namely, in the normal sector 2 and in the software 110 (see Fig. 2).

As disclosed in Nakashima, when the software 110 that has been stored on a prescribed recording medium (the original or a copy) is executed, the medium ID is read out of the normal sector 2, and a check is performed to determine whether this ID matches the medium ID of the original recording medium 1 stored in the software 110 (see col. 4, lines 15-21). If the two medium IDs match, then the prescribed recording medium is determined to be the original recording medium 1, and execution of the software is permitted (see col. 4, lines 21-24). If, on the other hand, the medium ID in the normal sector 2 does not match the medium ID stored in the software 110, then it is determined that the prescribed recording medium is not the original recording medium 1, and execution of the software is not permitted (see col. 4, lines 24-26).

Regarding newly cited Yamagishi, Applicants note that this reference also discloses a

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method for preventing the unauthorized use of software. In this regard, Applicants note that method disclosed in Yamagishi is essentially the identical method that is disclosed in Nakashima.

In particular, as explained in Yamagishi, in a recording medium D, an ID code is stored in a <u>ROM area 2</u> and is also stored in <u>software</u> (see Figs. 2 and 4; and col. 2, lines 12-16, and lines 23-44). In Yamagishi, just as in Nakashima, a comparison is made between the two ID codes (i.e., between the <u>ID code stored in the ROM area 2 of the recording medium</u> and the <u>ID code stored in the software of the same recording medium</u>) (see col. 2, lines 38-44). If the two ID codes match, then the software is considered to be authorized software and the software is executed, but if the two ID codes do not match, then execution of the software is prohibited (see col. 2, lines 44-48).

Thus, as is evident from the foregoing descriptions, in both of Nakashima and Yamagishi, the comparison which takes place in order to determine whether the software is authorized software is between (1) an ID stored in a first area of the recording medium (i.e., the normal sector 2 of Nakashima, and the ROM area 2 of Yamagishi) and (2) an ID stored in software of the same recording medium.

In contrast, according to claim 3, the comparison which takes place is between (1) the read medium identifier information (i.e., the medium identifier information read from a removable recording medium mounted in the file-update apparatus) and (2) the <u>held medium identifier information</u> (i.e., the medium identifier information <u>held within the file-update apparatus</u>).

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In view of the foregoing, Applicants respectfully submit that the cited prior art references, either alone or in combination, do not disclose, suggest or otherwise render obvious the above-noted features recited in claim 3 of an ID recording unit operable, before the updating of the file on the first recording medium by said updating unit, to read unique medium identifier information from one specific position in the first recording medium, and to hold the medium identifier information within said file-update apparatus; and a recovery suppressing unit operable, if the interruption of the update procedures has taken place and the predetermined condition is satisfied, and before said recovery unit updates the location information, to read medium identifier information from a same position as the specific position in a removable recording medium mounted in said file-update apparatus, compare the read medium identifier information with the held medium identifier information, and suppress the updating of the location information by said recovery unit if the read medium identifier information does not match the held medium identifier information.

Accordingly, Applicants respectfully submit that claim 3 is patentable over the cited prior art, an indication of which is kindly requested. Regarding claims 4, 5, 10 and 11, Applicants note that these claims depend from claim 3 and are therefore considered patentable at least by virtue of their dependency.

Regarding claims 16 and 17, Applicants note that each of these claims recites similar features as claim 3. In particular, regarding claims 16 and 17, Applicants note that each of these claims recites the features of reading, before the updating of the file on the first recording medium, unique medium identifier information from one specific position in the first recording medium, and holding the medium identifier information within a file-update

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apparatus; and reading, if the interruption of the update procedures has taken place and the predetermined condition is satisfied, and before the updating of the location information on the first recording medium, medium identifier information from a same position as the specific position in a recording medium of a processing target, comparing the read medium identifier information with the held medium identifier information, and suppressing the updating of the location information if the read medium identifier information does not match the held medium identifier information.

For at least similar reasons as discussed above with respect to claim 3, Applicants respectfully submit that the cited prior art references do not disclose, suggest or otherwise render obvious such features. Accordingly, Applicants submit that claims 16 and 17 are patentable over the cited prior art, an indication of which is kindly requested.

B. Claims 6-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Howard in view Nakashima and Yamagishi, and further in view of the Applicants' Admitted Prior Art.

Claims 6-9 depend from claim 3. Applicants respectfully submit that the Admitted Prior art does not cure the deficiencies of Howard, Nakashima and Yamagishi, as discussed above, with respect to claim 3. Accordingly, Applicants submit that claims 6-9 are patentable over the cited prior art, an indication of which is kindly requested.

C. Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Howard in view Nakashima and Yamagishi, and further in view of Yoo (U.S. 2002/0059570).

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Claim 12 depends from claim 3. Applicants respectfully submit that the Yoo does not cure the deficiencies of Howard, Nakashima and Yamagishi, as discussed above, with respect to claim 3. Accordingly, Applicants submit that claim 12 is patentable over the cited prior art, an indication of which is kindly requested.

II.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may best be resolved by a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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